## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**SOLID WOOD CABINET COMPANY, :** 

Plaintiff,

CIVIL ACTION

NO. 13-3598

PARTNERS HOME SUPPLY, et al.,

Defendants.

v.

## ORDER

AND NOW, this 13th day of March 2015, upon consideration of Plaintiff's Motions for Partial Summary Judgment [Doc. No. 49, 50, 51, and 53], and all responses and replies thereto, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motions are **DENIED** and judgment will not be entered in favor of Plaintiff on any claims at this time. However, as noted in the memorandum opinion, the Court holds that Plaintiff has established the wrongdoing element of its breach of duty of loyalty claims against Defendant Polter, with regard to one discrete act, and the jury will not be required to decide this element.

Upon consideration of Defendants' Motion for Summary Judgment [Doc. No. 54], the responses, reply, and sur-reply thereto, and the statement of stipulated facts, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

- 1. The Motion is granted as to all claims against Defendant Griver, and all claims against Griver are dismissed with prejudice;
- 2. The Motion is granted as to Counts I against Polter and Frankel, and this claim, as wells as the related claim for injunctive relief against Polter and Frankel pursuant to PUTSA (Count VIII), is dismissed with prejudice as to these two defendants;
  - 3. The Motion is granted as to Counts III, IV, V, and VI, and those claims are

dismissed with prejudice;

- 4. The Motion is denied as to the Count I claim against Basch, as there are genuine issues of material fact for trial;
- 5. The Motion is denied as to the Count II claim against PHS, as there are genuine issues of material fact for trial;
- 6. The Motion is denied as to the Count VII claims against Basch, Polter, and Frankel, as there are genuine issues of material fact for trial;
- 7. The Motion is denied as to Count VIII, insofar as it contains claims for injunctive relief for violations of PUTSA by Basch and PHS.

It is so **ORDERED**.

BY THE COURT:

XNTHIA M. RUFE, J.